

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TASER INTERNATIONAL, INC.,
et al.

Plaintiffs,

v.

MORGAN STANLEY & CO., INC.,
et al.

Defendants.

CIVIL ACTION NUMBER:
1:10-CV-03108-JOF

[PROPOSED] STIPULATION AND CONSENT ORDER
EXTENDING TIME

The parties have conferred and stipulated to extend certain pending deadlines in the above-captioned action, which was removed to this Court on September 28, 2010 from the State Court of Fulton County, Georgia.¹

By agreement among the parties, and for good cause shown, it is hereby
ORDERED that:

¹ Plaintiffs believe that the removal was improper, and intend to move to remand promptly. Consequently, Plaintiffs have agreed to this Proposed Stipulation and Consent Order Extending Time only because of the need to address certain pending deadlines, and this Stipulation and Consent Order should not be construed as Plaintiffs' agreement or consenting to the removal or the jurisdiction of this Court.

1. The time for Defendants to answer or otherwise move in response to the Seventh Amended Complaint is extended through and including October 19, 2010;

2. Each of the following shall be due on October 19, 2010:

(1) Plaintiffs' Reply in Support of its Motion for Sanctions Against Deutsche Bank Securities Inc. for Undisputed Violation of the Court's July 16, 2009 Scheduling Order; (2) Plaintiffs' Response to "The Goldman Sachs Defendants' Motion for a Protective Order Pursuant to O.C.G.A. § 9-11-26(c) with Respect to Plaintiffs' Corrected Amended Notice of 30(b)(6) Deposition"; (3) Plaintiffs' Response to "DBSI's Motion for a Protective Order"; and (4) Plaintiffs' Response to "Defendants' Motion to Compel Production of Presentation Notebook Improperly Taken from Defendants' Table, in Court."

3. Any responses to or replies in support of any pending motions falling due from October 1 through October 11, 2010 are extended to and through October 19, 2010. Moreover, the time for Defendant Banc of America Securities, LLC to respond to "Plaintiffs' Motion for Sanctions Against Banc of America Securities, LLC for Undisputed Violation of the Court's July 16, 2009 Scheduling Order" is extended through and including October 19, 2010.

4. The deadline for responses to written discovery requests falling due from October 1 through October 11, 2010 shall be extended seven calendar days from their current respective deadlines.

5. With respect to any depositions that were noticed for or agreed to be taken between October 1 through October 12, 2010, those depositions shall be postponed. During the Rule 26(f) conference to be held during the week of October 4, 2010, the parties will meet and confer as to rescheduling those depositions within a reasonable period of time.

6. The parties have agreed to conduct a Rule 26(f) conference during the week of October 4, 2010. During the Rule 26(f) conference, the parties will meet and confer as to whether, under the applicable rules or by agreement, any additional extensions are warranted.²

² For clarity, it is Plaintiffs' position that any matters governed by an existing Court Order shall move forward according to the terms of the applicable Court Order pursuant to 28 U.S.C. § 1450.

So ORDERED this ____ day of October 2010.

J. Owen Forrester, Senior Judge
United States District Court

Jointly submitted this 1st day of October 2010.

/s/ Nicole G. Iannarone

JOHN E. FLOYD
Georgia Bar No. 266413
Email: floyd@bmelaw.com

STEVEN J. ROSENWASSER
Georgia Bar No. 614908
Email: rosenwasser@bmelaw.com

NICOLE G. IANNARONE
Georgia Bar No. 382510
Email: iannarone@bmelaw.com

BONDURANT, MIXON &
ELMORE LLP
3900 One Atlantic Center
1201 West Peachtree Street, N.W.
Atlanta, GA 30309
Tel.: 404-881-4100
Fax: 404-881-4111

Attorneys for Plaintiffs

/s/ Richard H. Sinkfield

RICHARD H. SINKFIELD
Georgia Bar No. 649100
E-mail: rsinkfield@rh-law.com

Dan F. Laney III
Georgia Bar No. 435290
E-mail: dlaney@rh-law.com

ROGERS & HARDIN LLP
229 Peachtree Street, N.E.
2700 International Tower
Atlanta, Georgia 30303
Tel.: 404-522-4700
Fax: 404-525-2224

Attorneys for Defendants Morgan Stanley & Co. Incorporated; Goldman, Sachs & Co.; Goldman Sachs Execution & Clearing, L.P.; Bear Stearns & Co., Inc., n/k/a JP Morgan Securities LLC; Bear Stearns Securities Corp., n/k/a JP Morgan Clearing Corp.; Merrill Lynch, Pierce, Fenner & Smith, Inc.; Deutsche Bank Securities Inc.; Credit Suisse Securities (USA) LLC; Banc of America Securities, LLC; UBS Securities, LLC; and Merrill Lynch Professional Clearing Corporation

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TASER INTERNATIONAL, INC.,
et al.

Plaintiffs,

v.

MORGAN STANLEY & CO., INC.,
et al.

Defendants.

CIVIL ACTION NUMBER:
1:10-CV-03108-JOF

CERTIFICATE OF SERVICE

I hereby certify that on October 1, 2010, I served a copy of the foregoing
STIPULATION AND CONSENT ORDER EXTENDING TIME by U.S. Mail
on:

John E. Floyd, Esq.
Steven J. Rosenwasser, Esq.
BONDURANT, MIXON & ELMORE LLP
3900 One Atlantic Center
1201 West Peachtree Street, N.W.
Atlanta, GA 30309

James W. Christian, Esq.
CHRISTIAN, SMITH & JEWELL LLP
2302 Fannin, Suite 500
Houston, TX 77002

Robert F. Wise, Jr., Esq.
William J. Fenrich, Esq.
Melissa Aoyagi, Esq.
DAVIS POLK & WARDWELL LLP
450 Lexington Avenue
New York, NY 10017

Richard H. Klapper, Esq.
Richard C. Pepperman, II, Esq.
Tracy Richelle High, Esq.
SULLIVAN & CROMWELL LLP
125 Broad Street
New York, NY 10004-2498

Stephen L. Ratner, Esq.
Brian L. Friedman, Esq.
PROSKAUER ROSE LLP
1585 Broadway
New York, NY 10036

Gregory A. Markel, Esq.
Martin L. Seidel, Esq.
Peter J. Isajiw, Esq.
Heather L. Fesnak, Esq.
CADWALADER, WICKERSHAM & TAFT LLP
One World Financial Center
New York, NY 10281

Fraser L. Hunter, Jr., Esq.
WILMER CUTLER PICKERING HALE AND
DORR LLP
399 Park Avenue
New York, NY 10022

Andrew J. Frackman, Esq.
O'MELVENY & MYERS LLP
Times Square Tower
7 Times Square
New York, NY 10036

Andrew B. Clubok, Esq.
Jeffrey G. Landis, Esq.
Jeffrey M. Gould, Esq.
KIRKLAND & ELLIS LLP
655 Fifteenth Street, N.W.
Washington, DC 20005

/s/ Richard H. Sinkfield

Richard H. Sinkfield
Georgia Bar No. 649100
rsinkfield@rh-law.com